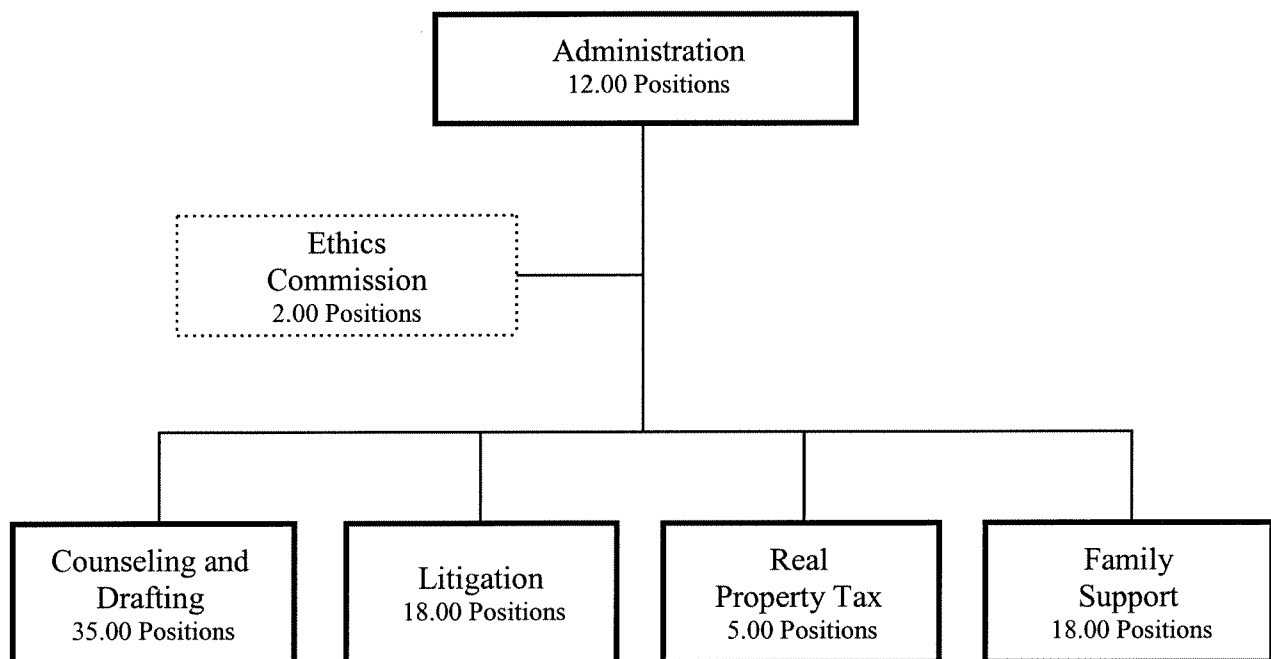


# Department of Corporation Counsel

# DEPARTMENT OF THE CORPORATION COUNSEL (COR) ORGANIZATION CHART

This chart reflects the number of full-time equivalent positions appropriated in Fiscal Year 2003.



## **DEPARTMENT OF THE CORPORATION COUNSEL (COR)**

### **RESPONSIBILITIES**

The Corporation Counsel serves as the chief legal advisor and legal representative of all agencies, the City Council, and all officers and employees in matters relating to their official powers and duties. The Department represents the City in all legal proceedings and performs all other legal services.

### **MISSION STATEMENT**

To provide quality and efficient legal services and representation to the agencies, administration and City Council of the City and County of Honolulu as mandated by Charter or law.

### **GOALS AND OBJECTIVES**

1. Work proactively with departments to reduce claims that arise from day-to-day operations.
2. Maximize the intake of real property tax revenues by vigorous defense of assessments and expeditious resolution of tax appeals.
3. Increase overall quality of legal services performed and efficiency of the legal staff.
4. Conduct preventative lawyering.

### **BUDGET INITIATIVES AND HIGHLIGHTS**

The department's proposed budget for fiscal year 2004 is \$7,701,248, which reflects a 3.6 percent decrease from the current fiscal year, and will enable the department to:

1. Support City departments in their effort to consolidate collection procedures.
2. Emphasize professional development and training for the Deputy Corporation positions.
3. Coordinate with the Risk Manager to obtain insurance coverage information and evaluate coverage disputes.
4. Implement new caselogging and timekeeping systems to track, sort, and monitor cases, and work conducted thereon.
5. Continue development and expansion of a form bank of standardized forms and procedural guidelines for use by all deputies and staff to streamline handling of matters and cases.
6. Institute a case management system wherein checklists are developed to track deadlines, progress and valuation of each case or matter.
7. Continue to assist other City departments with standardizing contract forms and review procedures to help streamline the procurement process.
8. Continue to monitor developments and participate in matters at the Commission on Water Resource Management (and in the courts, as necessary) to ensure that water management decisions are consistent with the City's plans and development initiatives, and the public trust doctrine.
9. Continue to monitor the legal requirements relating to the City's plans to improve accessibility of the City to individuals with disabilities.

## DEPARTMENT OF THE CORPORATION COUNSEL

Continued...

10. Enforce the liquor laws and prosecute violations in a more timely and consistent manner, thereby reducing the number of successful appeals by licensees.

### FISCAL SUSTAINABILITY PLAN

	<u>Target Year</u>
Goal 1: <u>Cost Containment</u>	
Initiative 1: Consultant Services: Package HPD cases and award to the legal firm which is the lowest bidder.	
(a) Create an objective rating standard of performance for legal contractors based on win/loss record and cost of negotiated settlements.	FY 2003
(b) Prepare Request for Proposal.	FY 2004
Initiative 2: Retain Audit Companies to Review Outside Attorney Billings.	
(a) Employ auditors (such as those used by insurance agencies) to review outside attorneys' fees. Such audits have reportedly resulted in the reduction of legal bills significantly in the insurance industry.	FY 2004
Initiative 3: Increase Payment for Legal Services from BWS.	
(a) Draft/process Council Resolution authorizing increase of BWS' monthly fee for legal services performed by COR.	FY 2003
Goal 2: <u>Develop Reliable Recurring Sources of Revenue</u>	
Initiative 1: Pursue Federal Funding and Grants.	
(a) Work independently and/or with other department (e.g., DCS) to explore the availability of grants/funding applicable to legal work performed by COR.	FY 2004

## DEPARTMENT OF THE CORPORATION COUNSEL

### DEPARTMENT POSITIONS

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
Permanent Positions	87.00	87.50	87.50	0.00	87.50
Temporary Positions	2.50	2.50	2.50	0.00	2.50
Contract Positions	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>89.50</b>	<b>90.00</b>	<b>90.00</b>	<b>0.00</b>	<b>90.00</b>

### EXPENDITURES BY APPROPRIATION UNIT

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
Legal Services	\$ 5,487,499	\$ 7,019,799	\$ 6,753,266	\$ 0	\$ 6,753,266
Family Support	700,529	801,629	789,198	0	789,198
Ethics Commission	135,806	168,261	158,784	0	158,784
<b>TOTAL</b>	<b>\$ 6,323,834</b>	<b>\$ 7,989,689</b>	<b>\$ 7,701,248</b>	<b>\$ 0</b>	<b>\$ 7,701,248</b>

### CHARACTER OF EXPENDITURES

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
Salaries and Wages	\$ 3,907,138	\$ 4,383,280	\$ 4,126,257	\$ 0	\$ 4,126,257
Current Expenses	2,412,362	3,606,409	3,574,991	0	3,574,991
Equipment	4,334	0	0	0	0
<b>TOTAL</b>	<b>\$ 6,323,834</b>	<b>\$ 7,989,689</b>	<b>\$ 7,701,248</b>	<b>\$ 0</b>	<b>\$ 7,701,248</b>

### SOURCE OF FUNDS

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
General Fund	\$ 6,008,838	\$ 7,533,337	\$ 7,175,485	\$ 0	\$ 7,175,485
Sewer Fund	283,291	400,757	395,168	0	395,168
Liquor Commission Fund	31,386	55,595	130,595	0	130,595
Special Events Fund	319	0	0	0	0
<b>TOTAL</b>	<b>\$ 6,323,834</b>	<b>\$ 7,989,689</b>	<b>\$ 7,701,248</b>	<b>\$ 0</b>	<b>\$ 7,701,248</b>

## **DEPARTMENT OF THE CORPORATION COUNSEL Legal Services Program**

### **Program Description**

This activity includes counseling and drafting, litigation and real property tax support.

### **COUNSELING AND DRAFTING**

The Counseling and Drafting Division provides drafting services which include: ordinances and resolutions, state legislation, and legal documents as well as the rendering of oral and written legal opinions to the Mayor, City Council and all City departments. Counseling and Drafting deputies attend all City Council and Committee meetings, City Department meetings, and the meetings of City Boards and Commissions and represent the City before all courts and tribunals of the state in matters not related to personal injury and property damage.

### **LITIGATION**

The Litigation Division represents the City and County of Honolulu before all of the Courts in the State of Hawaii; processes and litigates personal injury and property damage claims by or against the City; and seeks collections for monies owed to the City for various services rendered by the City.

### **REAL PROPERTY TAX**

The Real Property Tax Division was created in 1995 to maximize intake of real property assessment revenues to the City and County of Honolulu expeditiously; to assume management of cases; and to vigorously defend the City against real property tax appeals brought before the Tax Appeal Court. This division also provides legal advice and support to the Real Property Assessment Division, Department of Budget and Fiscal Services.

### **Program Highlights**

The Legal Services Program budget is \$6,753,266, which reflects a decrease of 3.8 percent from the current year, primarily due to decreased funding for vacant positions.

**DEPARTMENT OF THE CORPORATION COUNSEL**  
**Legal Services Program**  
Continued..

**Output Measures**

DESCRIPTION	UNIT	ACTUAL FY 2002	ESTIMATED	
			FY 2003	FY 2004
Counseling and Drafting				
Cases and Opinions Pending	#	11,118	11,450	12,750
Litigation Cases Pending	#	3,859	4,950	5,800
Real Property Tax Appeals and Matters Pending	#	361	500	550

**Program Positions**

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
Permanent Positions	69.50	70.00	70.00	0.00	70.00
Temporary Positions	0.00	0.00	0.00	0.00	0.00
Contract Positions	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>69.50</b>	<b>70.00</b>	<b>70.00</b>	<b>0.00</b>	<b>70.00</b>

**Character of Expenditures**

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
Salaries and Wages	\$ 3,286,749	\$ 3,666,946	\$ 3,416,241	\$ 0	\$ 3,416,241
Current Expenses	2,199,327	3,352,853	3,337,025	0	3,337,025
Equipment	1,423	0	0	0	0
<b>TOTAL</b>	<b>\$ 5,487,499</b>	<b>\$ 7,019,799</b>	<b>\$ 6,753,266</b>	<b>\$ 0</b>	<b>\$ 6,753,266</b>

**Source of Funds**

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
General Fund	\$ 5,173,620	\$ 6,563,447	\$ 6,227,503	\$ 0	\$ 6,227,503
Sewer Fund	282,493	400,757	395,168	0	395,168
Liquor Commission Fund	31,386	55,595	130,595	0	130,595
<b>TOTAL</b>	<b>\$ 5,487,499</b>	<b>\$ 7,019,799</b>	<b>\$ 6,753,266</b>	<b>\$ 0</b>	<b>\$ 6,753,266</b>

**DEPARTMENT OF THE CORPORATION COUNSEL**  
**Family Support Program**

**Program Description**

The Family Support Division provides legal representation for the Child Support Enforcement Agency of the State of Hawaii in several types of Family Court proceedings in the City and County of Honolulu. The Division establishes paternity, secures child support, medical support and provides enforcement in complex Family Court cases. The Division also handles intra-county and interstate paternity actions. The Division provides these services pursuant to a cooperative agreement between the Corporation Counsel, City and County of Honolulu, and the Child Support Enforcement Agency, State of Hawaii, and in compliance with Title IV-D of the Social Security Act.

**Program Highlights**

The Family Support Program budget of \$789,198 reflects a decrease of 1.6 percent from the current fiscal year, primarily due to decreased funding for vacant positions.

**Output Measures**

DESCRIPTION	UNIT	ACTUAL	ESTIMATED	
		FY 2002	FY 2003	FY 2004
Paternity Cases	#	3,420	3,600	3,900

**Program Positions**

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
Permanent Positions	15.50	15.50	15.50	0.00	15.50
Temporary Positions	2.50	2.50	2.50	0.00	2.50
Contract Positions	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	<b>18.00</b>	<b>18.00</b>	<b>18.00</b>	<b>0.00</b>	<b>18.00</b>

**Character of Expenditures**

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
Salaries and Wages	\$ 513,844	\$ 610,269	\$ 603,138	\$ 0	\$ 603,138
Current Expenses	184,875	191,360	186,060	0	186,060
Equipment	1,810	0	0	0	0
<b>TOTAL</b>	<b>\$ 700,529</b>	<b>\$ 801,629</b>	<b>\$ 789,198</b>	<b>\$ 0</b>	<b>\$ 789,198</b>



**DEPARTMENT OF THE CORPORATION COUNSEL**  
**Family Support Program**

**Source of Funds**

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
General Fund	\$ 700,529	\$ 801,629	\$ 789,198	\$ 0	\$ 789,198
<b>TOTAL</b>	\$ 700,529	\$ 801,629	\$ 789,198	\$ 0	\$ 789,198

**DEPARTMENT OF THE CORPORATION COUNSEL**  
**Ethics Commission Program**

**Program Description**

This activity renders advisory opinions regarding standards of conduct and ethical behavior; reviews and maintains financial disclosure forms and disclosure of outside interest forms; and develops and implements educational programs and guidelines about the standards of conduct and disclosure forms.

**Output Measures**

DESCRIPTION	UNIT	ACTUAL	ESTIMATED	
		FY 2002	FY 2003	FY 2004
Requests for Advice and Complaints, Financial Disclosure Statements Received, Other Disclosure Statements Received, Employee Orientation Training, and Mandatory Managers Ethics Training	#	2,545	1,945	1,945

**Program Positions**

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
Permanent Positions	2.00	2.00	2.00	0.00	2.00
Temporary Positions	0.00	0.00	0.00	0.00	0.00
Contract Positions	0.00	0.00	0.00	0.00	0.00
<b>TOTAL</b>	2.00	2.00	2.00	0.00	2.00

**Character of Expenditures**

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
Salaries and Wages	\$ 106,545	\$ 106,065	\$ 106,878	\$ 0	\$ 106,878
Current Expenses	28,160	62,196	51,906	0	51,906
Equipment	1,101	0	0	0	0
<b>TOTAL</b>	\$ 135,806	\$ 168,261	\$ 158,784	\$ 0	\$ 158,784

**DEPARTMENT OF THE CORPORATION COUNSEL**  
**Ethics Commission Program**

**Source of Funds**

	ACTUAL FY 2002	BUDGET FY 2003	PROPOSED FISCAL YEAR 2004		
			CURRENT SERVICES	BUDGET ISSUES	TOTAL
General Fund	\$ 134,689	\$ 168,261	\$ 158,784	\$ 0	\$ 158,784
Special Events Fund	319	0	0	0	0
Sewer Fund	798	0	0	0	0
<b>TOTAL</b>	<b>\$ 135,806</b>	<b>\$ 168,261</b>	<b>\$ 158,784</b>	<b>\$ 0</b>	<b>\$ 158,784</b>

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